

REMARKS

In the application claims 1-25, 27-29, and 31-40 remain pending. Claims 26 and 30 have been canceled without prejudice. Certain of the claims have been amended to clarify what is regarded as the invention. The amendments find support in the specification and figures as originally filed. No new matter has been added.

The pending claims presently stand rejected under 35 U.S.C. § 102 as being anticipated by Goldstein (US 5,410,326) or as being rendered obvious by Goldstein alone or in combination with Evans (US 4,825,200).

In response, it is respectfully submitted that a rejection under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 can be maintained only when a single reference or combination of references, respectively, disclose the invention claimed “as a whole,” i.e., each and every element considering each and every word. Believing that Goldstein, whether considered alone or in combination with Evans, fails to disclose each and every element considering each and every word that is now set forth in the claims under consideration, it is respectfully requested that the rejection of the claims be withdrawn.

In rejecting the claims, it was asserted that Goldstein discloses the elements set forth in the claims in fig. 11 (item 101) and at col. 14, lines 8-15. It is respectfully submitted that a careful reading of the cited passage fails, however, to disclose the invention that is now set forth in the claims. In this regard, the claimed invention is directed to a remote control that receives a transmission from an external device, e.g., an entertainment center, and which responds to the receipt of the transmission from the external device to activate a means for indicating, e.g., an illumination device, that is associated with a button of the remote control to indicate, e.g., to modify the appearance

associated with the button from a first displayed state to a second displayed state and/or in accordance with data contained in the transmission, to a user that the button may now be activated to transmit data from the remote control to an external target device and/or that an event has occurred. In contrast to that which is claimed, col. 14, lines 8-15 of Goldstein discloses a remote control which includes an indicator button 101 where the button 101 is activated by a user to initiate the retrieval of data and where the button 101 is illuminated only after the remote control determines that a full message has been received to thereby provide assurances to the user that the data has been completely retrieved by the remote control. Thus, it will be appreciated that the button 101 of Goldstein is not illuminated in accordance with any instructions received in a data transmission from a source external to the remote control. It will be further appreciated that the button 101 of Goldstein is not illuminated to indicate to a user that the user may now activate the button 101 to transmit any signal to a target device as is claimed, i.e., the remote control enables the button 101 only during such time as the indicator is active. Rather, in Goldstein, the button 101 is clearly enabled prior to the button 101 being illuminated whereby the button 101 may be activated to initiate the retrieval of data in the first instance. Thus, it will be appreciated that Goldstein cannot be said to disclose the exact invention set forth in the claims as is required to maintain a rejection under 35 U.S.C. § 102 and, for this reason, the rejection under 35 U.S.C. § 102 must be withdrawn.

Since it has not been alleged that Evans suggests modifying Goldstein to include these claimed elements that are missing from Goldstein (which it does not), it is additionally respectfully submitted that the rejection under 35 U.S.C. § 103 must also be withdrawn.

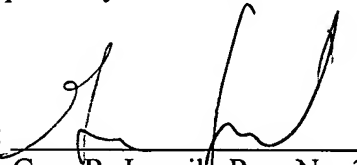
Conclusion

The subject application is considered to be in condition for allowance. Such action on the part of the Examiner is respectfully requested. Should it be determined, however, that a telephone conference would expedite the prosecution of the subject application, the Examiner is respectfully requested to contact the attorney undersigned.

Respectfully Submitted

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By:



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